

TOWN OF COTTAGE GROVE  
TOWN BOARD MINUTES  
OCTOBER 06, 2010

I. ADMINISTRATIVE

- A. Notice of the meeting was properly posted at the Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Mike Kindschi and Mike DuPlayee were all in attendance, along with Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith. A list of others present is available in the Clerk's office.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Fonger to approve the minutes of the September 20, 2010 Town Board Meeting as printed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
  - 1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #18003-18052. **MOTION CARRIED 5-0.**
  - 2. **MOTION** by Fonger/DuPlayee to approve payment of September per diems as presented, and payment of \$13,476.80 to Tom Viken for September building permits.
  - 3. The Treasurer reported that she is talking to Wisconsin Community Bank about a lockbox service agreement for processing of 2010 taxes, at a slightly greater cost than last year. The Board will consider approval of the agreement at the October 18<sup>th</sup> meeting.

II. Public Concerns:

- A. Karen Kessenich, 4075 Vilas Road, brought to the board's attention the fact that three vacant residential lots on Skarstinden Road have been assessed at ag use value since their creation in 2006. She said that since they are required by a developer's agreement to be kept mowed at 8 inches or less, they are not being farmed, and she wanted to know how this could have been missed, especially with the 2009 total revaluation of the Town, and given that State law requires all ag use to be verified on a yearly basis. The Clerk will request the property cards from the assessor.
- B. Art Voit, 2974 County BB and Willard Peterson, 4603 Lotus Lane, brought photos of the ditch on Valley Street that was cleaned out and re-seeded in 2009, and stated that the job was unsatisfactory as the ditch still does not drain. Voit objected to the fact that the same landscape contractor, who is not a Town resident, recently worked on a ditch project on Bonnie Avenue without the work being put out for bid. He felt that taxpayer businesses should be allowed to bid such jobs. There was discussion about when jobs are bid vs. shopped for by the Highway Superintendent. There was also discussion about further work in the Valley Street and Lotus Lane area to mitigate stormwater problems. This will need to be considered with the 2011 budget.

III. Road Right of Way Permits:

- A. **MOTION** by Anders/DuPlayee to permit Frontier Communications to plow parallel to the road on Baxter Road to improve/repair existing communications services. **MOTION CARRIED 5-0.**
- B. **MOTION** by DuPlayee/Anders to permit Charter Communications to plow parallel to the right-of-way and and drill under Brown Thrush, Raven Way, and Meadowlark to install fiber optic cable. **MOTION CARRIED 5-0.**

IV. BUSINESS:

- A. Select dates for 2011 Budget Workshops: Budget workshops were scheduled for October 19<sup>th</sup>, 20<sup>th</sup>, and 28<sup>th</sup>, all beginning at 6:30 P.M.
- B. Plan Commission Recommendations:
  - 1. Patrick W. and Peggy J. Coffey, Landowners – 4452 Ridge Road, 30 +/- acres of Parcel 0711-122-8500-5 (west side of Ridge Road): Zone change from A-1EX to RH-1 to create two

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residential lots with remaining acres rezoned to A-4 for zoning compliance: Builder/Developer Chris Miller and Peggy Coffey presented a map of the latest proposal, which Miller described as a compromise after extensive discussion with the Plan Commission. It showed two 2-acre lots at the south end of the parcel, with a shared driveway.

There was discussion about the use of prime farm land to cluster the lots vs. keeping them on opposite ends of the parcel as originally proposed. The Coffey's prefer the original proposal but are willing to compromise. An easement at the south west corner of the parcel was noted. The compromise proposal showed a small square of woods to the west of the proposed lots that would be left with the farm land in order for the lots to not exceed 2 acres. There was discussion about possibly allowing for a slightly larger lot to avoid the dead corner.

Wayne and Pat Wollin, 4489 Ridge Road, spoke against having a lot on the north end of the property, stating that they sited their home where it is to avoid neighbors and traffic on Meadowview, and they do not want neighbors adjacent to their south lot line either. They were OK with clustering the two lots on the south end of the parcel, but would prefer the lots to be on the east side of Ridge Road, south of the Coffey farmstead.

Mark Olejnick, 1796 Strawberry Road, would prefer that the lots be closer to Ridge Road rather than flag shaped, to keep them further from the marsh land to the west.

**MOTION** by Fonger/DuPlayee to approve the rezone of two lots as shown on the “modified Proposal #1”, with two 2-acre flag shaped lots, one on the north end of the parcel, and one on the south end. **MOTION FAILED 2-3** (Anders, Hampton and Kindschi opposed).

**MOTION** by Kindschi/Hampton to ask the petitioners to come back with a plan for two lots on the east side of Ridge Road, either to the north or south of the Coffey farmstead. **MOTION FAILED 2-3** (Fonger, Anders and DuPlayee opposed).

**MOTION** by Anders/Fonger to approve the Plan Commission's recommendation as shown on the compromise map presented at this meeting, with two 2-acre lots on the south end of the parcel, with a shared driveway. **MOTION FAILED 2-3** (Hampton, Fonger and Kindschi opposed).

**MOTION** by Hampton (with no second) to send the matter back to the Plan Commission.

**MOTION** by DuPlayee (with no second) to approve one lot along the south end of the parcel on the west side of Ridge Road, and ask the petitioners to come back with a plan for a second lot on the east side of the road.

**MOTION** by Anders/Fonger to approve the Plan Commission's recommendation as shown on the compromise map presented at this meeting, with two 2-acre lots on the south end of the parcel, with a shared driveway. It was noted that the RDU and density requirements in the Ag District on page J-17 of the land use plan are met by this proposal. **MOTION CARRIED 3-2** (Kindschi and DuPlayee opposed).

There was discussion about how the extra RDU based on continuous ownership since 1981 can be used, and determined that it must be used to split off the original farm house and buildings, not to create a new building site. **MOTION** by Anders/DuPlayee to recognize that

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the petitioner's intent was to utilize the extra RDU based on continuous ownership since 1981, and allow them to come back with a plan to utilize it under the same application fee.

**MOTION CARRIED 5-0.**

- C. Discuss/Consider approval of amended Cottage Grove Law Enforcement Agreement: **MOTION** by DuPlayee/Hampton to approve the agreement as shown on the tracked changes by Connie Anderson 2010-10-01. **MOTION CARRIED 5-0.**
- D. Discuss/Consider approval of Agreement with Strand Associates, Inc. for 2011 Services for the Natvig Road Landfill: DuPlayee questioned the two-week notice of termination on page 4, wondering if 14 days would be better. **MOTION** by Anders/DuPlayee to approve the agreement as presented, with Anders agreeing to ask Strand about the termination period. **MOTION CARRIED 5-0.**
- E. Update on DaneCom: Dane County Sub. 2 to Res. 88, 10-11, Endorsing an Alternative Emergency Radio System Proposal: A letter from Dane County Board Chair Scott McDonnell described he proposal and asked for local governments to respond by October 15<sup>th</sup> indicating whether they agree to share operating and maintenance costs. No guidance from the DCTA has been provided at this time. **MOTION** by Anders/DuPlayee to table until October 18<sup>th</sup>, and directing the clerk to draft a letter to McDonnell indicating that the Town of Cottage Grove cannot meet the October 15<sup>th</sup> deadline to respond. **MOTION CARRIED 5-0.**

V. CLERKS REPORT

- A. Dane County Ordinances: None.

VI. BOARD REPORTS AND COMMUNICATIONS:

- A. Wisconsin Towns Association Convention report: Kindschi said his handouts from the convention would be available in the Town office. Both Kindschi and DuPlayee said the workshops were impressive. The workshop on stormwater utilities drew a big crowd. Kindschi was impressed by a municipal web site provider exhibit and suggested that the Town look into switching providers.

VII. COMMITTEE REPORTS AND COMMUNICATIONS (AS APPLICABLE):

- A. Joint Town/Village Landfill Monitoring Committee: The committee reviewed the 2011 service agreement, along with recent bills and monitoring results.
- B. Joint Town/Village Fire Department Committee: The Fire Chief presented a revised 2011 budget that was less than the original proposal, and reviewed 2010 expenditures. The committee approved a new stove to replace the broken one, and a TV for EMS as payment for cleaning services. The clothes dryer is also having issues, and a replacement will be considered at the next meeting.
- C. Law Enforcement Committee: The 2011 budget will have the same bottom line as 2010, although line item amounts are still being ironed out. The Village intends to fund an additional officer, but wants to be sure he/she only works within the Village limits.
- D. Emergency Government Committee: The committee worked on Standard Operating Procedures. They are looking for a Town Board member to volunteer for a table top exercise. Fonger said he will do it.

VIII. Adjournment: **MOTION** by DuPlayee/Fonger to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:42 P.M.

Kim Banigan, Clerk  
Approved 10-18-2010